

**AGENDA MEMO**

CITY COUNCIL MEETING DATE: APRIL 18, 2007

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: EOT-20203 - APPLICANT/OWNERS: ASIAN  
DEVELOPMENT, LLC.

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**\*\* CONDITIONS \*\***

**STAFF RECOMMENDATION:** APPROVAL, subject to:

**Planning and Development**

1. This Site Development Plan Review (SDR-1914) shall expire on May 7<sup>th</sup>, 2008 unless another Extension of Time is approved.
2. Conformance to the Conditions of Approval for Site Development Plan Review (SDR-1914) and all other subsequent related cases and as required by the Planning and Development Department and Department of Public Works.

## **\*\* STAFF REPORT \*\***

### **PROJECT DESCRIPTION**

This is the second Extension of Time request for an approved Site Development Plan Review (SDR-1914) for a fifteen story office/retail building with parking garage on 3.08 acres adjacent to the northeast corner of Deer Springs Way and Kevin Street.

Since the first extension of time request the applicant has had a Tentative Map (TMP-15639) approved and is in the process of completing a drainage study. A traffic impact analysis has been completed. Approval of this request with a one year time limit is recommended, unless another extension of time is approved.

### **BACKGROUND INFORMATION**

<b><i>Related Relevant City Actions by P&amp;D, Fire, Bldg., etc.</i></b>	
05/07/03 *	The City Council approved a Rezoning (ZON-1913) to TC (Town Center) on the remaining portion of this site, a Special Use Permit (SUP-1915) for a fifteen story office building where Town Center Development Standards allow a maximum of twelve stories in the UC-TC (Urban Center Mixed-Use - Town Center) District, a Variance (VAR-1916) to allow no step backs where step backs are required after the fourth story in the Town Center Development Standards and a Site Development Plan Review (SDR-1914) for a fifteen story office/retail building with parking garage. The Planning Commission and staff recommended approval on 04/07/03.
03/16/05	The City Council approved related requests for an Extension of Time (EOT-6008) for Special Use Permit (SUP-1915) which allowed a fifteen-story office building where Town Center Development Standards allow a maximum of twelve stories in the UC-TC (Urban Center Mixed-Use - Town Center) District and an Extension of Time (EOT-6009) for Variance (VAR-1916), which allowed no step backs where step backs are required after the fourth story in the Town Center Development Standards.
09/21/06	The Planning Commission approved a Tentative Map for a one-lot commercial subdivision on 3.08 acres on the north side of Deer Springs Way, approximately 330 feet west of Durango Drive. Staff recommended approval.
04/18/07	The City Council will hear two related Extensions of Time (EOT-20206 and EOT-20203) concurrently with this item.
<b><i>Related Building Permits/Business Licenses</i></b>	
There are no permits or licenses related to this request.	
<b><i>Pre-Application Meeting</i></b>	
A pre-application meeting is not required, nor was one held.	
<b><i>Neighborhood Meeting</i></b>	
A neighborhood meeting is not required, nor was one held.	

<i>Details of Application Request</i>	
<i>Site Area</i>	
Net Acres	3.08

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Undeveloped	UC-TC (Urban Center Mixed Use - Town Center)	T-C (Town Center)
North	Multi-Family Residential	UC-TC (Urban Center Mixed Use - Town Center)	T-C (Town Center)
South	Undeveloped	UC-TC (Urban Center Mixed Use - Town Center)	U (Undeveloped) [TC (Town Center) General Plan Designation]
East	Undeveloped	UC-TC (Urban Center Mixed Use - Town Center)	T-C (Town Center)
West	Single Family Residential	ML-TC (Medium-Low Density Residential - Town Center)	T-C (Town Center)

<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
<b>Special Area Plan</b>			
T-C Town Center District	X		Y
<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
<b>Special Purpose and Overlay Districts</b>			
T-C Town Center District	X		Y
<b>Trails</b>		X	N/A
<b>Rural Preservation Overlay District</b>		X	N/A
<b>Development Impact Notification Assessment</b>		X	N/A
<b>Project of Regional Significance</b>		X	N/A

## PROJECT DESCRIPTION

The project will consist of a 15-story office building and a six-level parking garage structure. The office building is located at the south end of the parcel, facing Deer Springs Way, and will have a main floor area of about 22,000 square feet (including 8,100 square feet of retail space), with a total floor area of 283,080 square feet. A 5,000 square-foot restaurant is planned for the 15<sup>th</sup> floor. The east, west and south façades of the structure are intended to step back at the third, tenth and thirteenth levels. The north elevation will step back only at the thirteenth level.

The parking garage will be a 53.5-foot high, six-level structure oriented north-south on the site, to the north of the office building, and will contain 916 parking spaces. Entrances to the parking garage will be via Haley Avenue (Hitt Family Court), which is intended to terminate in a cul-de-sac immediately adjacent to this site, and via a driveway to Deer Springs Way on the east side of the property. A one-way fire lane will be provided to Deer Springs Way on the west side of the property. A small amount of surface parking (60 spaces) will be provided on the remainder of the site between the two structures, which are connected by an open porte-cochere that acts as the main entrance to the building.

## **ANALYSIS**

This is the second extension of time request for the proposed project. At the time of the first request the applicant had not moved forward with the project since approval. Since the first extension of time request the applicant has had a Tentative Map (TMP-15639) approved and is in the process of completing a drainage study. A traffic impact analysis has been completed. Approval of this request with a one year time limit is recommended, unless another extension of time is approved.

### **Conditions of approval for SDR-1914:**

1. A Rezoning [ZON-1913] to a T-C (Town Center) Zoning District approved by the City Council.
2. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
3. All development shall be in conformance with the site plan and building elevations, except as amended by conditions herein.
4. The site plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a building permit, to reflect the location of loading zones, main floor entrances and uses, and outdoor seating areas.
5. Prior to the submittal of a building permit, the applicant shall meet with Planning and Development Department staff to develop a comprehensive address plan for the subject site. A copy of the approved address plan shall be submitted with any future building permit applications related to the site.
6. The landscape plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a building permit, to indicate the required amenity zone and planting requirements for Haley Avenue and planting requirements on Deer Springs Way to Town Center standards, and to indicate the required 20% open space as per Title 19.06.110.E.

7. Landscaping and a permanent underground sprinkler system shall be installed as required by the Planning Commission or City Council and shall be permanently maintained in a satisfactory manner. [Failure to properly maintain required landscaping and underground sprinkler systems shall be cause for revocation of a business license.]
8. A landscaping plan must be submitted prior to or at the same time application is made for a building permit.
9. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.
10. Parking lot lighting standards shall be no more than 20 feet in height and shall utilize 'shoe-box' fixtures and downward-directed lights. Wallpack lighting shall utilize 'shoe-box' fixtures and downward-directed lights on the proposed building. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.
11. A Master Sign Plan shall be submitted for approval of the Planning Commission or City Council prior to the issuance of a Certificate of Occupancy for any building on the site.
12. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Municipal Code Section 19.12.050.
13. Any property line wall shall be a decorative block wall, with at least 20 percent contrasting materials. Wall heights shall be measured from the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated.
14. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
15. All City Code requirements and design standards of all City departments must be satisfied.
16. The three parcels which comprise this action must be combined into one entity by an Administrative Joining, intersite access and joint use agreement, a Reversionary Map, or similar legal action that binds each parcels interdependency prior to the issuance of any permits for this site.
17. Meet with the Traffic Engineering Representative in Land Development for assistance in the possible redesign of the proposed driveway access, on site circulation and parking lot layout prior to the submittal of any construction plans or the issuance of any permits, whichever may occur first. Driveways shall be designed, located and constructed in accordance with Standard Drawing #222A.
18. The design and layout of all onsite private circulation and access drives shall meet the approval of the Department of Fire Services.

19. Site development to comply with all applicable conditions of approval for ZON-1913 and all other subsequent site-related actions.

## **FINDINGS**

Approval of the original Site Development Plan Review (SDR-1914) was granted on 05/07/03 with an Extension of Time request being approved on 03/16/05. This request for a second extension of time is deemed appropriate given the circumstances currently occurring on the subject property. Approval of this request is recommended.

<b><u>NEIGHBORHOOD ASSOCIATIONS NOTIFIED</u></b>	N/A
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<b><u>ASSEMBLY DISTRICT</u></b>	N/A
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<b><u>SENATE DISTRICT</u></b>	N/A
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<b><u>NOTICES MAILED</u></b>	N/A
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<b><u>APPROVALS</u></b>	0
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<b><u>PROTESTS</u></b>	0
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